

DISTRICT JUDGE TANA LIN
MAGISTRATE JUDGE THERESA L. FRICKE

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

SAY SULIN KEODARA,

Plaintiff,

v.

JERI BOE and ROBERT HERZOG,

Defendants.

NO. 3:21-CV-05129-TL-TLF

DECLARATION OF CONRAD
ARTIS IN SUPPORT OF
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT

I, CONRAD ARTIS, make the following declaration:

1. I have knowledge of the facts herein, am over eighteen years of age, and am competent to testify to such facts. I am not a defendant in this lawsuit.

2. I am employed with the Washington State Department of Corrections (Department or DOC) as an Investigator with the Intelligence and Investigations Unit (IIU) at Clallam Bay Corrections Center in Clallam Bay, WA. I have been employed by the Department in this position since March 2019.

3. Prior to my employment with the Department, I spent approximately eight years as an investigator in a prison setting, and have been the supervisor of an investigative unit at three different prisons.

4. I was a criminal investigator with the United States Air Force for approximately three years. While in the United States Air Force, I completed a two month criminal investigator course to become a certified criminal investigator, and completed other training related to

1 conducting investigations. Additionally, I have approximately 5 years' experience as an
2 insurance fraud investigator.

3 5. I have experience conducting interviews, processing evidence, identifying drugs,
4 and surveillance techniques. As part of my duties, I conduct investigations and prepare reports.
5 I am responsible for direct supervision and monitoring of staff.

6 6. I am familiar with Plaintiff, Say Sulin Keodara, DOC #367524, who is an
7 offender currently incarcerated at Clallam Bay Corrections Center.

8 7. In April 2020, the IIU at Clallam Bay Corrections Center received information
9 that inmates, individuals in the community, and a Department employee were involved in the
10 operation to buy, sell, and smuggle drugs into the prison.

11 8. IIU began an investigation, coordinating with the Federal Bureau of
12 Investigations (FBI) and the Olympic Peninsula Narcotics Enforcement Team. Because this
13 investigation was coordinated with outside agencies, Department actions were timed so as not
14 to jeopardize the other agencies' investigations.

15 9. I was the primary investigator for IIU. Exhibit 1 is a true and correct copy of the
16 Investigative Report I wrote and filed with IIU summarizing my findings.

17 10. Keodara was linked to this investigation through confidential information, phone
18 calls, JPay messages, JPay pictures, and JPay videos, to name a few. Early in the investigation,
19 we discovered Keodara was a main player in the drug operation.

20 11. When we began investigating Keodara, we learned Keodara's girlfriend/fiancé,
21 Melissa Mesa (Mesa), was also involved. Mesa was a U.S. Customs and Border Patrol agent.

22 12. I reviewed hundreds of phone calls between Keodara and Mesa. I also reviewed
23 phone calls between Keodara and other individuals where Keodara discussed Mesa. I discovered
24 Mesa was the person in the community who obtained all the money for Keodara's illicit drugs.

25 13. Mesa posed the greatest threat of introducing illicit drugs into the prison.
26

1 14. At the beginning of May 2020, we confirmed an incident where Keodara
2 coordinated with Mesa and another individual in the community, Nguyen, to allow Mesa (often
3 referred to as Keodara's "aunt" or "auntie") to purchase 125 suboxone strips from Nguyen.
4 Nguyen reportedly wanted \$350 for the suboxone, and Keodara arranged to have \$900 sent to
5 his "auntie," Mesa. After picking up the drugs, Mesa told Keodara that she had met his friend,
6 had obtained 125 suboxone strips from him, that she didn't need to "count the suboxone strips
7 because his friend was good," and then told Keodara that she would "drop the drugs off." The
8 suboxone was eventually smuggled into the prison.

9 15. Toward the end of May 2020, Keodara informed Mesa that, going forward, she
10 will be handling his money and drug operation. Keodara provided Mesa's phone number to other
11 offenders, as well as other community members so that they could contact her about other
12 transactions. Mesa acquired various CashApp accounts in order to facilitate the buying and
13 selling of drugs.

14 16. By July 2020, Mesa had multiple phones, phone numbers, and CashApp accounts
15 to buy and sell drugs for Keodara. Keodara instructed Mesa to contact other inmates to create a
16 larger clientele base. Id. Keodara and Mesa discussed the rising price of drugs, going from \$300,
17 \$450, and \$500 within a month. As well as utilizing Walmart2Walmart, a money transferring
18 service offered by Walmart similar to MoneyGram and Western Union, to facilitate drug
19 transfers.

20 17. In August 2020, a prison correctional officer admitted his involvement in the drug
21 operation. The correctional officer was arrested, and all inmates involved in the operation,
22 including Keodara, were transferred to the Intensive Management Unit.

23 18. On August 18, 2020, Investigator Christopher Crocket and I interviewed
24 Keodara. During the interview, Keodara asked if he could "make a deal" with us – essentially,
25 he would provide us additional information if we forgo sanctioning him. However, Keodara
26

1 refused to provide any information unless or until I gave him all details I had on the investigation.
2 I declined and I ended the interview.

3 19. Shortly after the interview, I spoke with the lead FBI agent involved in this
4 investigation. The FBI agent informed me that Keodara and Mesa were calling each other
5 frequently – Keodara was utilizing other offenders' PIN numbers and Mesa had a number of
6 different cell phones and phone numbers to make and receive calls. The FBI agent requested that
7 I block all phone numbers associated with Mesa, which I did. The only phone numbers I blocked
8 were the numbers associated with Mesa done at the direction of the FBI due to their ongoing
9 criminal investigation. The FBI also asked that I attempt a second interview with Keodara to see
10 if he would be willing to discuss the investigation. I attempted a second interview, however
11 Keodara declined.

12 20. In September 2020, I infringed Keodara, along with the other incarcerated
13 individuals involved in the operation, for introducing or transferring any unauthorized drug or
14 drug paraphernalia into the prison (603 violation). The infraction report contained a partial
15 summary of the evidence. I also submitted confidential information to the hearing officer as part
16 of the infraction. A true and correct copy of the infraction and related infraction paperwork is
17 included here as Exhibit 2.

18 21. Department records show that Grievance Log ID 20712332 was received on
19 September 1, 2020. Keodara alleged that "INI" shut off his PIN number after he refused to be
20 interviewed. This is incorrect. The only phone numbers blocked were those associated with Mesa
21 and done at the request of the FBI. The grievance coordinator contacted me for a response. I
22 contacted the lead FBI agent to inquire whether there was a continued need to block Mesa's
23 phone numbers. I was told I could release the block on Mesa's phone numbers, which I did. This
24 grievance was considered informally resolved. A true and correct copy of this grievance is
25 attached here as Exhibit 3.
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1 22. However, shortly after the block was lifted on Mesa's phone numbers, the FBI
2 requested that we, again, block all phone numbers associated with Mesa. Mesa and Keodara
3 were, again, communicating frequently and impeding the FBI's investigation. Therefore, I
4 blocked Mesa's phone numbers. The only phone numbers I blocked were those associated with
5 Mesa.

6 23. Department records show that on October 8, 2020, Keodara submitted Grievance
7 Log ID 20714521. Keodara alleged "INI¹ has restricted me from calling my family/loved ones
8 for NO reason." The grievance coordinator contacted me for a response. I spoke with the FBI
9 and was told I could release the block on Mesa's phone numbers, which I did. A true and correct
10 copy of the grievance is attached here as Exhibit 4.

11 24. Blocking numbers in September/October 2020 was the result of the ongoing
12 criminal investigation. As the investigation evolved, especially once the incarcerated individuals
13 were aware that they were being monitored, IIU had to adjust in the moment.

14 25. Keodara's prison disciplinary hearing was held on October 28, 2020, and Keodara
15 was found guilty.

16 26. At no point in November or December did I speak with Keodara at his cell front
17 while he was working out as his Complaint suggests.

18 27. In March 2021, IIU assisted the FBI in executing a search warrant on Mesa's
19 residence due to her involvement with Keodara. Evidence was found showing Mesa's role in not
20 only buying, selling, and smuggling drugs into Clallam Bay Corrections Center, but into other
21 Department facilities. IIU provided evidence and investigatory leads to the other Department
22 facilities. There was also evidence of Mesa's involvement in other illegal activities.

23 28. Also in March 2021, the FBI conducted an interview with Ms. Jania Smith,
24 another individual in the community who conspired with Keodara. Shortly after the FBI's
25 interview, she was notified that she was permanently suspended from all communication with
26

¹ INI is an outdated reference to IIU, the Intelligence and Investigations Unit.

1 Keodara dated March 25, 2021. IIU delayed terminating Ms. Smith's communication privileges
2 until after the FBI interviewed her so as not to jeopardize the FBI's criminal investigation.

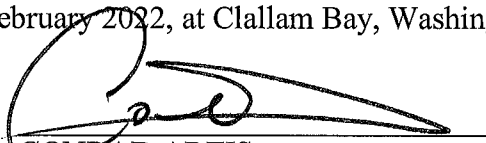
3 29. In August 2021, IIU discovered Keodara and Mesa circumvented the permanent
4 contact restriction and were sending each other numerous messages and photographs through
5 JPay. They were able to get around the restrictions because Mesa registered a new customer
6 account under the name "Melissa Keodara."

7 30. On August 2, 2021, I infraacted Keodara for using the mail, telephone, or
8 electronic communications in violation of any law, court order or previous written warning,
9 direction, and/or documented disciplinary action (718 infraction). He was found guilty. A true
10 and correct copy of the infraction and associated paperwork is included as Exhibit 5.

11 31. Mesa and Keodara continue to find ways of working around Mesa's
12 communication ban. Mesa has made multiple JPay accounts under different names in order to
13 send messages and pictures to Keodara. Mesa also uses these accounts to send messages and
14 pictures to Keodara's cellmate to give to him.

15 I declare under the penalty of perjury that the foregoing is true and correct to the best of
16 my knowledge.

17 EXECUTED this 03 day of February 2022, at Clallam Bay, Washington.

18
19 
20 CONRAD ARTIS
Investigator